

AN ORDINANCE **101350**

AUTHORIZING THE NEGOTIATION AND EXECUTION OF AN INTERLOCAL AGREEMENT WITH VIA METROPOLITAN TRANSIT FOR A CONTRIBUTION TO THE DOWNTOWN PUBLIC IMPROVEMENT DISTRICT OF \$15,000.00 FOR THE REMAINDER OF FISCAL YEAR 2005 AND BEGINNING OCTOBER 1, 2005, FOR AN ANNUAL CONTRIBUTION OF \$60,000.00; WITH A TERMINATION DATE OF SEPTEMBER 30, 2009.

* * * * *

WHEREAS, Ordinance Number 99288, passed and approved on June 3, 2004 by the City Council, reestablished the Downtown Public Improvement District ("PID") according to the requirements of the Public Improvement District Assessment Act, Local Government Code, Chapter 372; and

WHEREAS, the PID is a means through which property owners in the District can self-fund additional improvements and services to enhance the appearance and safety of the San Antonio downtown area; and

WHEREAS, the City Council approved the levy and rate of the special assessment and the Service and Assessment Plan for the PID for FY 2005 on September 2, 2004, and for FY 2006 on September 8, 2005, with the expectation that VIA Metropolitan Transit ("VIA") would contribute funds to the PID; and

WHEREAS, VIA realizes the benefits it will receive from the improvements and services to be funded through the PID, and desires to contribute \$15,000.00 for the remainder of FY 2005, and sixty thousand dollars (\$60,000.00) annually through September 2009, in \$15,000.00 quarterly payments to the San Antonio Downtown Public Improvement District; and

WHEREAS, it is now necessary to authorize the City Manager or his designee to execute the Interlocal Agreement with VIA to establish the terms under which VIA shall contribute to the PID fund; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager, or his designee, is authorized to execute the Interlocal Agreement ("Agreement") with VIA Metropolitan Transit ("VIA"), which establishes the terms under which VIA shall contribute and the City shall accept \$15,000.00 for the remainder of FY 2005 and \$60,000.00, paid in \$15,000.00 quarterly payments, for the next four fiscal years. The Interlocal Agreement has a termination date of September 30, 2009, and is attached and incorporated for all purposes as Exhibit 1.

SECTION 2. These contributions from VIA to the San Antonio Downtown Public Improvement District shall be limited to funding supplemental services in the San Antonio downtown area in accordance with the San Antonio Downtown Public Improvement District's Service and Assessment Plans.

SECTION 3 Funds in the amount of \$15,000 are authorized to be deposited in Fund 69018000 entitled "Public Improvement District", Internal Order Number 207000000121 entitled

ASSESSMENT COLLECTION VIA, General Ledger 4101104 entitled Taxes Current Real Property when received.

SECTION 4. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 5. This ordinance shall become effective immediately upon the receipt of eight (8) affirmative votes, or in the alternative, on the tenth (10th) day after passage.

PASSED AND APPROVED THIS 8th day of September 2005.



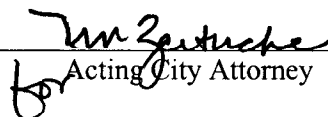
M A Y O R

PHIL HARDBERGER

Attest:


City Clerk

APPROVED AS TO FORM:


for Acting City Attorney